

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BRIAN KEITH BRAGG,

Plaintiff,

v.

JENNIFER PETRILLO, et al.,

Defendants.

Civil Action No. 16-8751 (FLW)

MEMORANDUM AND ORDER

This matter has been opened to the Court by Plaintiff's filing of a motion to reopen this matter. It appearing that:

1. On July 19, 2017, the Court, in relevant part, proceeded Plaintiff's § 1983 claims against Defendant Jennifer Petrillo premised on violations of Plaintiff's Fourteenth Amendment right to medical privacy and First Amendment retaliation. (*See* ECF No. 15.) Although the Court mailed the USM 285 forms to Petitioner, it appears that Defendant Petrillo has not been served.¹

2. On August 31, 2017, Plaintiff submitted a motion for voluntary dismissal, which was granted by the Court on September 5, 2017. (*See* ECF Nos. 18, 19.) The Court dismissed the matter without prejudice and provided Petitioner with 30 days within which to reopen the case. (*See* ECF No. 19.)

3. On September 14, 2017, Plaintiff submitted the instant motion to reopen. (ECF No. 20.) Plaintiff states in his motion to reopen that he did not receive the Court's prior Order, which proceeded the § 1983 claims against Defendant Petrillo. (*Id.*)

¹ The only other Defendants in the case at this time are unserved John Doe Defendants.

4. At this time, the Court will grant the motion to reopen (ECF No. 20) and direct the Clerk of the Court to send a copy of the Court's July 19, 2017 Memorandum and Order to Plaintiff. (ECF No. 15.) The Court will also direct the Clerk of the Court to resend the USM forms to Plaintiff. Plaintiff is advised that, in the future, he must update the Court regarding any change in address in compliance with L. Civ. R. 10.1.

IT IS, THEREFORE, on this 21st day of November 2017,

ORDERED that the Clerk of the Court shall mark this case as OPEN so that the Court may consider Plaintiff's submission; and it is further

ORDERED that the motion to reopen (ECF No. 20) is GRANTED; and it is further

ORDERED that the Clerk of the Court shall send Plaintiff copies of the Court's July 19, 2017 Memorandum and Order (ECF No. 15); and it is further

ORDERED that the Clerk shall mail to Plaintiff a transmittal letter explaining the procedure for completing United States Marshal ("Marshal") 285 Forms ("USM-285 Forms"); and it is further

ORDERED that the Clerk of the Court shall send Plaintiff copies of this Memorandum and Order via regular mail.

s/Freda L. Wolfson
Freda L. Wolfson
United States District Judge